

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

Plaintiff,

v.

GURPREET SINGH,

Defendant.

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Case No. 1:24-cv-02667

COMPLAINT

The United States, pursuant to the provisions of 31 U.S.C. § 3711(g)(4)(C), with the authorization of a delegate of the Secretary of the Treasury and at the direction of a delegate of the Attorney General, brings this civil action to obtain a money judgment against defendant Gurpreet Singh relating to assessments made against him by a delegate of the Secretary of the Treasury pursuant to 31 U.S.C. § 5321 for his non-willful failures to report his financial interests in foreign bank accounts. For its complaint, the United States alleges:

JURISDICTION

1. This case arises under a federal statute, the United States is the plaintiff, and the action seeks recovery or enforcement of civil penalties.
2. This Court has jurisdiction under 28 U.S.C. §§ 1331, 1345, and 1355(a).
3. Defendant Gurpreet Singh (“Singh”) resides in Nassau County, New York, within the jurisdiction of this Court.

SINGH’S INTERESTS IN FOREIGN FINANCIAL ACCOUNTS

4. Singh was born in India on December 23, 1947. He is a U.S. citizen and an Overseas Citizen of India for travel purposes.

5. During the 2015, 2016, and 2017 calendar years, Singh had a financial interest in, or signature authority over, personal bank accounts located in the following banks in India and which accounts had aggregate high balances exceeding \$10,000.00 during for such years as follows:

Bank	Account No.	2015	2016	2017
HDFC Bank	*****5502	\$15,285.00	\$2,380.00	\$25,166.00
ICICI Bank	*****8059	\$240.00	\$233.00	\$105.00
ICICI Bank	*****5023	\$46,297.00	\$40,963.00	\$245,348.00
ICICI Bank	*****5147	\$7,151.00	\$11,734.00	\$743.00
ICICI Bank	*****5156	\$46,656.00	\$7,492.00	\$1,622.00
Kotak Mahindra Bank	*****2320	\$849.00	\$1,506.00	\$2,298.00
Royal Bank of Scotland	**3068	\$9,210.00	Closed	N/A
TOTAL		\$125,688.00	\$64,308.00	\$275,282.00

6. During the 2015, 2016, and 2017 calendar years, Singh owned investment real estate in India. During these same years, Singh's wife owned real estate for personal use; the expenses related to such real estate were paid from the Kotak Mahindra bank account.

7. These accounts were also used for investment opportunities in India.

SINGH'S REQUIREMENT TO REPORT INTERESTS IN FOREIGN FINANCIAL ACCOUNTS

8. Under 31 C.F.R. § 1010.350(a), (c), a United States person having a financial interest in or signature authority over foreign financial accounts must file a form known as

FinCEN from 114 or “FBAR” where the aggregate value of such foreign financial accounts exceeds \$10,000.00 at any time during the previous calendar year.

9. During the 2015, 2016, and 2017 calendar years, Singh was a “citizen of the United States or a person in, and doing business in, the United States” under 31 U.S.C. § 5314(a).

10. During the 2015, 2016, and 2017 calendar years, Singh was a “United States person” under 31 C.F.R. § 1010.350(a)–(b).

11. During the 2015, 2016, and 2017 calendar years, Singh had a financial interest in the foreign bank accounts described in paragraph 5, above, under 31 C.F.R. § 1010.350(e).

12. During the 2015, 2016, and 2017 calendar years, Singh had signature or other authority over the foreign bank accounts described in paragraph 5, above, under 31 C.F.R. § 1010.350(f).

13. During the 2015, 2016, and 2017 calendar years, Singh’s foreign bank accounts, as described in paragraph 5, above, had an aggregate balance that exceeded \$10,000.00 for each of those years.

14. For the 2015 calendar year, Singh was required to file an FBAR by June 30, 2016.

15. For the 2016 and 2017 calendar years, Singh was required to file an FBAR by April 15, 2017, and April 15, 2018, respectively.

16. Despite having had a financial interest or signatory or other authority over foreign financial accounts where the aggregate balance of such accounts exceeded \$10,000 for the 2015, 2016, and 2017 calendar years, Singh failed to file an FBAR for such years by their respective filing deadlines.

**CLAIM TO REDUCE SINGH'S LIABILITY FOR NON-WILLFUL FBAR PENALTIES
TO JUDGMENT**

17. On April 11, 2022, a delegate of the Secretary of the Treasury timely assessed \$30,000.00 in civil penalties against Singh, under 31 U.S.C. § 5321(a)(5), for failing to timely report his interest in foreign accounts for the calendar years 2015, 2016, and 2017. That total consists of \$10,000 for each of the three reporting periods at issue.

18. The penalties against Singh were assessed under 31 U.S.C. § 5321(a)(5)(B)(i), which imposes a penalty not to exceed \$10,000 for each violation of the FBAR filing requirement in § 5314 that is not due to a willful violation.

19. The Internal Revenue Service issued notice of the penalty assessments to Singh and demanded payment thereof.

20. Despite notice and demand for payment, Singh has failed to pay the civil penalties assessed against him.

21. In addition to the principal amount of the penalties assessed against him, Singh is also liable for late payment penalties pursuant to 31 U.S.C. § 3717(e)(2), and interest accruing according to law.

22. As of April 1, 2024, Singh's total balance due with respect to the FBAR penalties assessed against him is \$33,901.80.

PRAYER FOR RELIEF

WHEREFORE, plaintiff United States of America requests the following relief:

A. Judgment against defendant Gurpreet Singh in the amount of \$33,901.80, plus statutory additions and interest accruing from and after April 1, 2024, including interest under 31 U.S.C. § 3717 and 28 U.S.C. § 1961(c); and

B. Any other and further relief as the Court deems just and proper.

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